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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Stamm et al**Application No. **09/899,026**Group Art Unit: **1615**Filed: **July 6, 2001**Examiner: **H. Sheikh**Bet  
1-16-03**For: Fenofibrate Pharmaceutical Composition Having High  
Bioavailability and Method for Preparing It**

Docket No: 107664.115US3

Assistant Commissioner of Patents  
Washington, DC 20231**Response and Amendment under 37 CFR § 1.111**

This Response is submitted in reply to the Office Action dated June 10, 2002, for which a response is due on or before November 10, 2000. The Commissioner is authorized to charge the two month extension of time fee of \$400 to Deposit Account No. 08-0219. The Commissioner is authorized to charge any other necessary fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the application.

Please amend the above application, without prejudice, as follows.

**IN THE CLAIMS:**

A clean copy of the pending claims is set forth in Appendix 1. A marked-up copy of the claims showing the amendments is set forth in Appendix 2.

**Remarks**

After entry of the amendment, claims 91-161 are pending in the application.

Claims 35-90 have been canceled without prejudice and replaced with new claims 91-161. The new claims are supported by canceled claims 25-90 and the specification at, for example, page 7, line 23 to page 8, line 15. No issues of new matter should arise and entry of the amendment is respectfully requested.

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02 FC:1202 270.00 CH

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